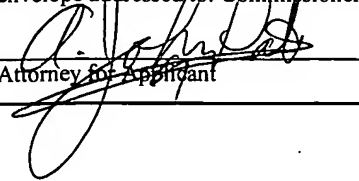




IFW

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313, on August 16, 2004.


Attorney for Applicant

PATENT
Docket No. 3124.2.1.2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Vernon S. Esplin)	
)	
Serial No.:	10/811,766)	
)	Art Unit
Filed:	March 29, 2004)	3124
)	
For:	SOFT TISSUE ANCHOR)	

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

Sir:

This Information Disclosure Statement discloses information which has come to the attention of Applicant or those individuals designated in § 1.56(c) and is being submitted to comply with the duty of disclosure set forth in 37 C.F.R. § 1.56. In accordance with 37 C.F.R. § 1.97(b), this Statement is being filed within three (3) months of the filing date of the above-identified application or before the mailing date of a first Action on the merits.

Neither Applicant nor those individuals designated in § 1.56(c) make any representation that any information disclosed herein may be "prior art" within the meaning of that term under 35 U.S.C. §§ 102 or 103. Moreover, pursuant to 37 C.F.R. § 1.97, the filing of this Information Disclosure Statement shall not be construed as a representation that a search has been made or as an admission that the information cited herein is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

In accordance with 37 C.F.R. § 1.98, this Information Disclosure Statement includes and is accompanied by:


1. A completed copy of Form PTO-1449 listing the patents, publications and other information being submitted for consideration; and
2. A legible copy of each patent, publication, and other item of information in written form listed on the enclosed Form.

Various patents, publications, and other items of information listed on the accompanying Form PTO-1449 were previously cited by and/or submitted to the U.S. Patent and Trademark Office in Applicant's prior application (App. Serial No. 09/808,456 filed March 14, 2001 for "SOFT TISSUE ANCHOR"), which is being relied upon for an earlier filing date under 35 U.S.C. § 120. In

accordance with 37 C.F.R. § 1.98(d), copies of these patents, publications, and other items of information are not being submitted with this Statement.

DATED this 11th day of August, 2004.

Respectfully submitted,



A. John Pate
Reg. No. 36,234
Attorney for Applicant

Date: August 11, 2004

PATE PIERCE & BAIRD
550 Parkside Tower
215 South State Street
Salt Lake City, Utah 84111
Telephone: (801) 530-0330
Facsimile: (801) 530-5955

Z:\ALL CLIENTS\3124 Esplin\3124-2-1-2\3124-2-1-2 PAT-FIL-IDS.wpd



FORM PTO-1449 LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT (use several sheets if necessary)	SERIAL NO. 10/811,766	ATTORNEY DOCKET NO. 3124.2.1.2
	FILING DATE March 29, 2004	GROUP ART UNIT 3731
	APPLICANT(S): Vernon S. Esplin	

U.S. PATENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS/ SUBCLASS	FILING DATE
	A1	5,961,520	10/05/1999	Beck, Jr. et al.	606/72	03/27/97
	A2	5,931,840	08/03/1999	Goble et al.	606/73	01/28/98
	A3	5,916,224	06/29/1999	Esplin	606/151	07/09/97
	A4	5,800,544	09/01/1998	Demopulous et al.	623/13	12/04/95
	A5	5,697,933	12/16/1997	Gundlapalli et al.	606/96	12/18/95
	A6	5,458,636	10/17/1995	Brancato	623/11	07/20/94
	A7	5,425,766	06/20/1995	Bowald	623/13	02/01/93
	A8	5,290,217	03/01/1994	Campos	600/37	10/10/91
	A9	5,263,973	11/23/1993	Cook	606/216	08/24/92
	A10	5,061,283	10/29/1991	Silvestrini	623/13	11/15/90
	A11	4,971,075	11/20/1990	Lee	128/898	11/17/89
	A12	4,469,101	09/04/1984	Coleman et al.	128/334R	06/07/82
	A13	268,632	12/05/1882	Danforth	606/218	07/21/1882

EXAMINER	DATE CONSIDERED
-----------------	------------------------

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant(s).